

KENT POLICE AUTHORITY

STANDARDS COMMITTEE ANNUAL REPORT 2009/10

Foreword by Standards Committee Independent Chair

The importance of standards in public life has, for many years, been reflected in the work of the Kent Police Authority's Standards Committee. The framework established nationally and the more recent emergence of the local determination of Code of Conduct issues has reinforced the singular importance of Members' conduct and the wider ethical framework within which the Authority operates.

The Standards Committee had a busy 2009/10 with four main areas of focus:

- the introduction and implementation of local procedures for complaints against members;
- working with members on a crucial element of the Authority's wider Member Training and Development initiative, to raise awareness and understanding of ethical framework issues;
- ensuring the Authority maintained robust and ethical processes in the wake of intense and prolonged media and public scrutiny of MPs' expenses and other issues; and
- undertaking a range of ethical and probity reviews at the Authority's request.

Police Authorities rightly have even higher ethical and probity standards expected of them than other public bodies, with the Code of Conduct being an important part of this. Accordingly, despite substantial progress being made during 2009/10, these areas of focus will all remain important parts of the 2010/11 work programme, reflecting the critical importance of these issues in a changing and dynamic environment.

On behalf of the Committee I would like to express our gratitude to the KPA Secretariat staff for their hard work and professionalism in supporting our work, and also to the KPA members who have actively sought our views and assistance on a range of issues and, most importantly, responded positively to our recommendations and advice.

I would also wish to express my personal thanks to both the Authority and the external independent members who sit on the Standards Committee.

David Coleman

Summary or overview of code of conduct complaints handled

There were two complaints made against members of the Authority in 2009/10 alleging breaches of the Code of Conduct. These are summarised in the following table:

KPA ref. no.	Date complaint made	Nature of complaint	Outcome
KPA 02/2010	01/02/10	Complaint against former Member	Historic complaint, pre-dates introduction of code of conduct. Complainant did not provide sufficient information. No further action
KPA 05/2010	22/02/10	Complaint against member for delay in responding to correspondence	Complaint considered by assessment sub-committee, May 2010. Decision = no further action To be considered by Review sub-committee, July 2010

Sharing and co-opting arrangements

The need for capacity and resilience in terms of member numbers in order to convene panels for both initial and appeal assessments has been recognised both locally and nationally. The KPA's Standards Committee has considered at length the guidance from Standards for England (SfE) and the representations from the Association of Police Authority Chief Executives (APACE). What has emerged is a complex set of provisions around a police authority's inability to delegate its functions to another police authority, the precise definition of a police authority's standards committee and the slightly more permissive arrangements that would apply with similar committees in local government and fire authorities.

Overall, the KPA's Standards Committee has had a relatively low volume of complaints to deal with, notwithstanding the initial complaints received under the new arrangements. On that basis it has proved self-sufficient in terms of its ability to hold suitably constituted initial and appeal assessments and on that basis does not need to have formal joint arrangements with any other bodies but can rely on legitimate co-option of members as and when required. This avoids the highly technical and complex provisions alluded to above that, despite the best efforts of all concerned, could be subject to some legal challenge.

Appointment of New Members

In March 2009 the term of appointment for Elizabeth Tullberg came to an end. Mrs Tullberg had been a long-serving and extremely committed member of the

Committee and the Authority formally thanked her for all her efforts. A recruitment process was held to fill the independent / external vacancy on the Committee and after an extremely competitive and rigorous process Caroline Wells was appointed to the Committee. This recruitment process included the involvement of two external assessors who are involved in the appointments process for all independent members and ensured a degree a scrutiny and transparency in accordance with the ethos of the Committee and SfE.

The Kent Police Authority Annual Meeting was held following the local County Council Elections which resulted in some turnover amongst the elected members appointed to the KPA. At the Annual Meeting Messrs Godwin, Hiscock and Wickham were appointed to the Standards Committee. Whilst the influx of new members has undoubtedly invigorated the Committee, the KPA also instructed the Chief Executive to bear in mind the need for stability and continuity with future appointments and terms of office, in developing the Authority's crucial ethical framework in changing and dynamic times.

Remuneration Sub-Committee

An indication of the Police Authority's wider interpretation of the ethical framework governing its functions and activities resulted in a commission for the Remuneration Sub-Committee to undertake a review of the KPA's transport policy. This included travel arrangements for members and KPA officers as well as a set of principles to be applied to the Force chief officers' car scheme.

The Committee undertook a considerable amount of research and benchmarking with other authorities before agreeing the policy at the end of 2009. The KPA's Chief Officer Committee accepted the Sub-Committee's proposals in full.

Publication of Members' Expenses

The national media and public interest in MPs' expenses and allowances highlighted the importance of transparency at all levels in terms of remuneration. The Standards Committee instructed the Chief Executive to publish details for KPA members over recent years. It is worth highlighting, in this context, that this move was supported by all the members of the KPA who welcomed this approach.

The material was published in the summer of 2009, it now forms part of the Authority's publication scheme and will be updated annually.

Revised Code of Conduct

Despite significant consultation on a draft revised code and strong indications of rapid implementation the SfE Director of Regulation wrote to all monitoring officers in February 2010 signalling that the relevant regulations would not be laid in the current parliamentary session.

The Committee remains well placed to address any subsequent implementation although the future regulatory arrangements, following a general election, are not entirely clear.

Other issues considered by the Committee

- Standards Board for England (SBfE) Annual Return
- Communities and Local Government (CLG) Consultation on Codes of Conduct
- Kent & Medway Independent Standards Committee Members Liaison Group
- Standards for England - Corporate Plan 2009-2012 and further Guidance on the Standards Framework